

**U.S. District Court
California Northern District (San Francisco)
CIVIL DOCKET FOR CASE #: 3:18-cv-03731-EMC**

Chetal v. U.S. Department of Interior et al
Assigned to: Judge Edward M. Chen
Cause: 05:552 Freedom of Information Act

Date Filed: 06/22/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

Shyam K. Chetal

represented by **Shyam K. Chetal**
45319 Whitetail Court
Fremont, CA 94539
PRO SE

V.

Defendant

U.S. Department of Interior

represented by **Raven Marie Norris**
US Attorneys Office
Civil Division
450 Golden Gate Avenue
San Francisco, ca 94102
415-436-6915
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sara Winslow
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Defendant

Ryan Zinke
Secretary of Interior

represented by **Raven Marie Norris**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sara Winslow
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

U.S. Bureau of Land Management

represented by **Raven Marie Norris**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sara Winslow
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Michael D. Need
Acting Director

represented by **Raven Marie Norris**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sara Winslow
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Kim Liebhauser
District Manager

represented by **Raven Marie Norris**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sara Winslow
 (See above for address)
ATTORNEY TO BE NOTICED

Defendant

Pamela J. Stiles
*Branch Solid Materials Manager, Bureau
 of Land Management Worland, Wyoming*

represented by **Raven Marie Norris**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Sara Winslow
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/22/2018	<u>1</u>	COMPLAINT against Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke (Filing fee \$ 400, Receipt #44611015428.). Filed by Shyam K. Chetal. Consent/Declination due by 7/6/2018. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> civil cove sheet, # <u>9</u> receipt)(cpS, COURT STAFF) (Filed on 6/22/2018) Modified on 6/22/2018 (cpS, COURT STAFF). (Entered: 06/22/2018)
06/22/2018	<u>2</u>	Summons Issued as to Kim Liebhauser, Michael D. Need, Pamela J. Stiles. (Attachments: # <u>1</u> Stiles, # <u>2</u> Need)(cpS, COURT STAFF) (Filed on 6/22/2018) (Entered: 06/22/2018)
06/22/2018	<u>3</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 9/13/2018. Initial Case Management Conference set for 9/20/2018 11:00 AM in San Francisco, Courtroom C, 15th Floor. (Attachments: # <u>1</u> Standing Order, # <u>2</u> Standing Order for All Judges)(cpS, COURT STAFF) (Filed on 6/22/2018) (Entered: 06/22/2018)
06/28/2018	<u>4</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Shyam K. Chetal.. (fabS, COURT STAFF) (Filed on 6/28/2018) (Entered: 06/28/2018)
07/02/2018	<u>5</u>	CLERK'S NOTICE of Impending Reassignment to U.S. District Judge. (Attachments: # <u>1</u> Certificate/Proof of Service) (ejkS, COURT STAFF) (Filed on 7/2/2018) (Entered: 07/02/2018)
07/03/2018	<u>6</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Edward M. Chen for all further proceedings. Magistrate Judge Laurel Beeler no longer assigned to the case. This case is assigned to a judge who participates in the Cameras in the Courtroom Pilot Project. See General Order 65 and http://cand.uscourts.gov/cameras. Signed by Executive Committee on 7/3/18. (Attachments: # <u>1</u> Notice of Eligibility for Video Recording)(as, COURT STAFF)

		(Filed on 7/3/2018) (Entered: 07/03/2018)
07/09/2018	<u>7</u>	Summons Issued as to Ryan Zinke. (slhS, COURT STAFF) (Filed on 7/9/2018) (Entered: 07/09/2018)
07/11/2018	<u>8</u>	CASE MANAGEMENT SCHEDULING ORDER: Initial Case Management Conference set for 10/2/2018 09:30 AM in San Francisco, Courtroom 05, 17th Floor. Case Management Statement due by 9/27/2018. Signed by Judge Edward M. Chen on 7/11/18. (Attachments: # <u>1</u> Certificate/Proof of Service)(bpfS, COURT STAFF) (Filed on 7/11/2018) (Entered: 07/11/2018)
07/26/2018	<u>9</u>	SUMMONS Returned Executed by Shyam K. Chetal. Kim Liebhauser served on 7/9/2018, answer due 7/30/2018; Pamela J. Stiles served on 7/9/2018, answer due 7/30/2018. (slhS, COURT STAFF) (Filed on 7/26/2018) (Entered: 07/30/2018)
08/02/2018	<u>10</u>	Summons Issued as to U.S. Attorney and U.S. Attorney General (slhS, COURT STAFF) (Filed on 8/2/2018) (Entered: 08/07/2018)
08/20/2018	<u>11</u>	AFFIDAVIT in Support of Motion for Order Requiring the U.S. Bureau of Land Management to File Answer by Shyam K. Chetal. (slhS, COURT STAFF) (Filed on 8/20/2018) (Entered: 08/22/2018)
09/04/2018	<u>12</u>	ORDER Re <u>11</u> Plaintiff's Motion for an Order Requiring U.S. Bureau of Land Management to File Answer. Signed by Judge Edward M. Chen on 9/4/2018. (Attachments: # <u>1</u> Certificate/Proof of Service)(emcsec, COURT STAFF) (Filed on 9/4/2018) (Entered: 09/04/2018)
09/13/2018	<u>20</u>	NOTICE filed by Shyam K. Chetal (slhS, COURT STAFF) (Filed on 9/13/2018) (Entered: 10/05/2018)
09/14/2018	<u>13</u>	ADMINISTRATIVE MOTION to Continue Initial Case Management Conference filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. Responses due by 9/18/2018. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 9/14/2018) Modified on 9/17/2018 (slhS, COURT STAFF). (Entered: 09/14/2018)
09/17/2018	<u>14</u>	Order by Judge Edward M. Chen granting <u>13</u> Administrative Motion to Continue Initial Case Management Conference. Case Management Statement due by 12/13/2018. Initial Case Management Conference set for 12/20/2018 09:30 AM in San Francisco, Courtroom 05, 17th Floor. (Attachments: # <u>1</u> Certificate/Proof of Service)(afmS, COURT STAFF) (Filed on 9/17/2018) (Entered: 09/17/2018)
09/20/2018	<u>17</u>	MOTION to Vacate Order filed by Shyam K. Chetal. Responses due by 10/4/2018. Replies due by 10/11/2018. (slhS, COURT STAFF) (Filed on 9/20/2018) (Entered: 09/27/2018)
09/27/2018	<u>15</u>	SUMMONS Returned Executed by Shyam K. Chetal. Michael D. Need, U.S. Bureau of Land Management; U.S. Department of Interior and Ryan Zinke served on 7/2/2018, answer due 8/31/2018. (slhS, COURT STAFF) (Filed on 9/27/2018) (Entered: 09/27/2018)
09/27/2018	<u>16</u>	SUMMONS Returned Executed by Shyam K. Chetal. U.S. Attorney served on 9/15/18 (slhS, COURT STAFF) (Filed on 9/27/2018) (Entered: 09/27/2018)
09/28/2018	<u>18</u>	Order by Judge Edward M. Chen denying <u>17</u> Motion to Vacate. (Attachments: # <u>1</u> Certificate/Proof of Service)(afmS, COURT STAFF) (Filed on 9/28/2018) (Entered: 09/28/2018)
10/01/2018	<u>19</u>	MOTION to Expedite Discovery Under 5 USC Sec 552(a)(6)(E) filed by Shyam K. Chetal. (Attachments: # <u>1</u> Part 2)(slhS, COURT STAFF) (Filed on 10/1/2018) (Entered: 10/04/2018)
10/09/2018	<u>21</u>	Declaration in Support of Motion for preliminary injunction filed by Shyam K. Chetal. (Attachments: # <u>1</u> Exhibit 1-7, # <u>2</u> Exhibit 8 part 1, # <u>3</u> Exhibit 8 part 2)(slhS, COURT STAFF) (Filed on 10/9/2018) (Entered: 10/10/2018)
10/11/2018	<u>22</u>	MOTION to Dismiss <i>Plaintiff's Complaint as Moot or alternatively for failure to state a claim pursuant to Rule 12(b)(1) and 12(b)(6)</i> filed by Kim Liebhauser, Michael D.

		Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. Motion Hearing set for 11/15/2018 01:30 PM before Judge Edward M. Chen. Responses due by 10/25/2018. Replies due by 11/1/2018. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A–I, # <u>3</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 10/11/2018) (Entered: 10/11/2018)
10/11/2018	<u>23</u>	Proposed Order re <u>22</u> MOTION to Dismiss <i>Plaintiff's Complaint as Moot or alternatively for failure to state a claim pursuant to Rule 12(b)(1) and 12(b)(6)</i> by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Norris, Raven) (Filed on 10/11/2018) (Entered: 10/11/2018)
10/19/2018	<u>24</u>	OPPOSITION/RESPONSE (re <u>19</u> MOTION to Expedite) <i>Defendants' Opposition to Plaintiff's Motion to Expedite Discovery</i> filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit, # <u>3</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 10/19/2018) (Entered: 10/19/2018)
10/19/2018	<u>25</u>	Defendants' OPPOSITION to <u>21</u> Plaintiff's Declaration in Support of Motion for Preliminary Injunction by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Attachments: # <u>1</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 10/19/2018) Modified on 10/23/2018 (slhS, COURT STAFF). (Entered: 10/19/2018)
10/22/2018	<u>26</u>	ORDER by Judge Edward M. Chen Denying <u>19</u> Plaintiff's Motion to Expedite Discovery. (Attachments: # <u>1</u> Certificate/Proof of Service)(emcsec, COURT STAFF) (Filed on 10/22/2018) (Entered: 10/22/2018)
10/30/2018	<u>27</u>	OPPOSITION/RESPONSE (re <u>22</u> MOTION to Dismiss <i>Plaintiff's Complaint as Moot or alternatively for failure to state a claim pursuant to Rule 12(b)(1) and 12(b)(6)</i>) filed by Shyam K. Chetal. (slhS, COURT STAFF) (Filed on 10/30/2018) (Entered: 10/31/2018)
11/01/2018	<u>28</u>	REPLY (re <u>22</u> MOTION to Dismiss <i>Plaintiff's Complaint as Moot or alternatively for failure to state a claim pursuant to Rule 12(b)(1) and 12(b)(6)</i>) <i>In Support of Defendants Motion to Dismiss</i> filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Attachments: # <u>1</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 11/1/2018) (Entered: 11/01/2018)
11/05/2018	<u>29</u>	ORDER Re <u>22</u> Defendants' Motion to Dismiss. Motion Hearing set for 11/15/2018 01:30 PM has been VACATED. Plaintiff may file a supplemental brief by 11/19/2018. Defendants may file responsive briefs by 11/26/2018. Signed by Judge Edward M. Chen on 11/5/2018. (Attachments: # <u>1</u> Certificate/Proof of Service)(emcsec, COURT STAFF) (Filed on 11/5/2018) (Entered: 11/05/2018)
11/08/2018	<u>30</u>	RESPONSE to Defendant's <u>28</u> Reply in Support (re <u>22</u> MOTION to Dismiss <i>Plaintiff's Complaint as Moot or alternatively for failure to state a claim pursuant to Rule 12(b)(1) and 12(b)(6)</i>) filed by Shyam K. Chetal. (slhS, COURT STAFF) (Filed on 11/8/2018) (Entered: 11/08/2018)
11/14/2018	<u>32</u>	MOTION for Extension of Civil Local Rule 7–3 Filing Deadlines for Non–ECF User for 30 Days filed by Shyam K. Chetal. (slhS, COURT STAFF) (Filed on 11/14/2018) (Entered: 11/15/2018)
11/15/2018	<u>31</u>	ADMINISTRATIVE MOTION continue initial case management conference and extend supplemental brief deadlines filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. Responses due by 11/19/2018. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 11/15/2018) (Entered: 11/15/2018)
11/16/2018	<u>33</u>	Order by Judge Edward M. Chen granting <u>32</u> Motion for Extension of Time to File. Plaintiff's supplemental brief due 12/19/2018; defendant's supplemental brief due 1/7/2019. (Attachments: # <u>1</u> Certificate/Proof of Service)(afmS, COURT STAFF) (Filed on 11/16/2018) (Entered: 11/16/2018)

11/16/2018	<u>34</u>	Order by Judge Edward M. Chen granting <u>31</u> Administrative Motion to Continue Initial Case Management Conference and Request to Extend Supplemental Brief Deadlines. Initial Case Management Conference set for 1/17/2019 09:30 AM in San Francisco, Courtroom 05, 17th Floor. Case Management Statement due by 1/10/2019. Supplemental briefing: plaintiff's supplemental brief due 12/19/2018; defendant's supplemental brief due 1/7/2019. (Attachments: # <u>1</u> Certificate/Proof of Service) (afmS, COURT STAFF) (Filed on 11/16/2018) (Entered: 11/16/2018)
11/27/2018	<u>35</u>	MOTION to Require Defendants to File Vaughn Index re Ten Sleep Gysum Mine filed by Shyam K. Chetal. Responses due by 12/11/2018. Replies due by 12/18/2018. (Attachments: # <u>1</u> Part 2)(slhS, COURT STAFF) (Filed on 11/27/2018) (Entered: 11/30/2018)
12/11/2018	<u>36</u>	OPPOSITION/RESPONSE (re <u>35</u> MOTION to Require Defendants to File Vaughn Index re Ten Sleep Gysum Mine) filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Attachments: # <u>1</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 12/11/2018) (Entered: 12/11/2018)
12/13/2018	<u>37</u>	STIPULATION WITH PROPOSED ORDER <i>to Extend Plaintiff's Supplemental Brief Deadline and to Continue CMC</i> filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 12/13/2018) (Entered: 12/13/2018)
12/14/2018	<u>38</u>	Order by Judge Edward M. Chen granting <u>37</u> Stipulation to Extend Plaintiff's Supplemental Brief Deadline and to Continue CMC. Supplemental briefing is extended as follows: Plaintiff's supplemental brief due 1/22/2019; Defendants' supplemental brief due 2/5/2019. Case Management Conference set for 1/17/2019 is VACATED and RESCHEDULED for 2/28/2019 at 9:30 a.m. Joint CMC statement due 2/21/2019. (Attachments: # <u>1</u> Certificate/Proof of Service)(afmS, COURT STAFF) (Filed on 12/14/2018) (Entered: 12/14/2018)
12/14/2018		Set Deadlines/Hearings: Case Management Statement due by 2/21/2019. Initial Case Management Conference set for 2/28/2019 09:30 AM in San Francisco, Courtroom 05, 17th Floor. (afmS, COURT STAFF) (Filed on 12/14/2018) (Entered: 12/14/2018)
01/16/2019	<u>39</u>	STIPULATION WITH PROPOSED ORDER <i>to extend briefing schedule and continue CMC</i> filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 1/16/2019) (Entered: 01/16/2019)
01/18/2019	<u>40</u>	Order by Judge Edward M. Chen granting <u>39</u> Joint Stipulation to Extend Supplemental Brief Deadline and to Continue Initial Case Management Conference. Joint Case Management Statement due by 3/21/2019. Initial Case Management Conference set for 2/28/2019 is vacated and rescheduled for 3/28/2019 09:30 AM in San Francisco, Courtroom 05, 17th Floor. Supplemental briefs: plaintiff's brief due 2/22/2019; defendant's brief due 3/8/2019. (Attachments: # <u>1</u> Certificate/Proof of Service) (afmS, COURT STAFF) (Filed on 1/18/2019) (Entered: 01/18/2019)
01/22/2019	<u>41</u>	Cross MOTION for Summary Judgment and OPPOSITION to Defendant's Motion for Summary Judgment filed by Shyam K. Chetal. Responses due by 2/5/2019. Replies due by 2/12/2019. (slhS, COURT STAFF) (Filed on 1/22/2019) (Entered: 01/28/2019)
01/22/2019	<u>42</u>	Declaration in Support of <u>41</u> Cross MOTION for Summary Judgment and in Opposition to Defendant's Motion for Summary Judgment filed by Shyam K. Chetal. (Attachments: # <u>1</u> Part 2)(Related document(s) <u>41</u>) (slhS, COURT STAFF) (Filed on 1/22/2019) (Entered: 01/28/2019)
01/22/2019	<u>43</u>	MOTION for Renewed Discovery of Bureau of Land Management Pamela Stiles and for in Camera Review filed by Shyam K. Chetal. Responses due by 2/5/2019. Replies due by 2/12/2019. (slhS, COURT STAFF) (Filed on 1/22/2019) (Entered: 01/28/2019)
03/08/2019	<u>44</u>	OPPOSITION/RESPONSE (re <u>41</u> MOTION for Summary Judgment, <u>43</u> MOTION Renewed Discovery of Bureau of Land Management Pamela Stiles and for in Camera

		Review, <u>22</u> MOTION to Dismiss <i>Plaintiff's Complaint as Moot or alternatively for failure to state a claim pursuant to Rule 12(b)(1) and 12(b)(6)</i>) Defendants Court Ordered Response and Opposition to Plaintiff's Cross Motion for Summary Judgment filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Attachments: # <u>1</u> Declaration, # <u>2</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 3/8/2019) (Entered: 03/08/2019)
03/08/2019	<u>45</u>	ADR Clerks Notice re: Non-Compliance with Court Order. The parties have failed to file an ADR Certification as required by the Initial Case Management Scheduling Order. Counsel shall comply promptly with the requirements of ADR L.R. 3-5(b) and shall file the ADR Certification. (cmf, COURT STAFF) (Filed on 3/8/2019) (Entered: 03/08/2019)
03/08/2019	<u>46</u>	Second ADMINISTRATIVE MOTION Request to Continue CMC <i>Unopposed Motion to Continue CMC</i> filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. Responses due by 3/12/2019. (Attachments: # <u>1</u> Declaration, # <u>2</u> Proposed Order, # <u>3</u> Certificate/Proof of Service)(Norris, Raven) (Filed on 3/8/2019) (Entered: 03/08/2019)
03/11/2019	<u>47</u>	Order by Judge Edward M. Chen granting <u>46</u> Administrative Motion to Continue Initial Case Management Conference. (Attachments: # <u>1</u> Certificate/Proof of Service) Joint Case Management Statement due by 4/11/2019. Initial Case Management Conference RESCHEDULED for 4/18/2019 09:30 AM in San Francisco, Courtroom 05, 17th Floor.(afmS, COURT STAFF) (Filed on 3/11/2019) (Entered: 03/11/2019)
03/12/2019	<u>48</u>	ORDER RE SUPPLEMENTAL BRIEFING AND/OR EVIDENCE re: <u>29</u> <u>44</u> . The agency shall respond to the questions within a week of the date of this order. Signed by Judge Edward M. Chen on 3/12/2019. (Attachments: # <u>1</u> Certificate/Proof of Service)(afmS, COURT STAFF) (Filed on 3/12/2019) (Entered: 03/12/2019)
03/18/2019	<u>49</u>	RESPONSE to Court's Order Re Supplemental Briefing and/or Evidence by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Attachments: # <u>1</u> Certificate/Proof of Service)(Winslow, Sara) (Filed on 3/18/2019) (Entered: 03/18/2019)
03/18/2019	<u>50</u>	Declaration of Timothy Wilson in Support of <u>49</u> Response (Non Motion), filed by Kim Liebhauser, Michael D. Need, Pamela J. Stiles, U.S. Bureau of Land Management, U.S. Department of Interior, Ryan Zinke. (Related document(s) <u>49</u>) (Winslow, Sara) (Filed on 3/18/2019) (Entered: 03/18/2019)